

Prior Instrument Reference: Volume 1793, Page 177 and Volume 1929, Page 78,
Stark County Recorder's Office.

IN WITNESS WHEREOF the said WANDA L. KIRCHHOFER, single, acting herein by
MELVILLE HERNCANE her attorney in fact, duly authorized hereto by a power of
attorney dated March 4, 1982, has hereunto set his hand this _____ day of
_____, 1996.

APPROVED BY THE PLANNING COMMISSION OF
THE CITY OF MASSILLON; NO PLAT REQUIRED
PER CODIFIED ORDINANCE CHAPTER 1105.

J. B. Buehler 2/22/96
SECRETARY DATE

SIGNED IN THE PRESENCE OF:

WANDA L. KIRCHHOFER, by MELVILLE HERNCANE
her attorney-in-fact

STATE OF OHIO)
(SS:
STARK COUNTY)

Before me, a Notary Public in and for said County and State, personally
appeared the above named WANDA L. KIRCHHOFER, single, acting herein by MELVILLE
HERNCANE, her attorney in fact, duly authorized hereto by a power of attorney
dated March 4, 1982, who executed the foregoing instrument, who acknowledged that
he did sign the foregoing instrument, and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, at
Massillon, Ohio, this _____ day of _____, A.D., 1996.

NOTARY PUBLIC

THIS INSTRUMENT PREPARED BY:
VINCENT G. MATECHECK
Attorney at Law



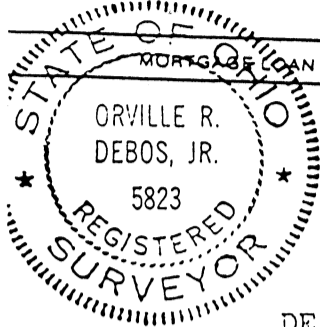
ORVILLE R. DE BOS & ASSOCIATES
REGISTERED PROFESSIONAL LAND SURVEYOR

14137 ORRVILLE ST. N.W.
NORTH LAWRENCE, OHIO 44666



REGISTERED NO. 5823

PHONE 837-2678 & 832-9970



Jan. 17, 1984

DESCRIPTION OF PROPERTY FOR WANDA L. KIRCHHOFER

TRACT #1 :

Known as, and being a part of Out Lot 349 in the City of Massillon, County of Stark, Ohio. According to the present numbering of Out Lots in the said City. And being more fully described as follows:

Beginning at an iron pin set marking the Northwest Corner of Lot Number 8798 in said City, and being recorded in Plat Record Volume 19, pages 42 and 43 of the Stark County Record of Plats and being part of "Chestnut Hill Estates"; said pin being the true place of beginning of the tract herein described; thence S 83°-02' E and along the west line of said Lot Number 8798 a distance of 233.73' to an iron pin found marking the Southwest Corner of said Lot and being on the north line of Lennox Ave. N.E., (a 60 foot street); thence in a southwesterly direction and along a curve to the left, and with the said north line of said Lennox Ave. N.E. an arc distance of 58.00' to an iron pin set, said curve having a central angle of 70°-33'-10", a radius of 440.00' a chord of 57.96', and chord bearing S 65°-58'-35" W; thence N 24°-40'-30" W a distance of 196.72' to an iron pin set; thence N 10°-38'-40" E for a distance of 41.50' to the true place of beginning. Containing 0.208 acre of land more or less. And subject to all legal highway, easements and agreements of previous record.

TRACT # 2 :

Known as, and being Lot Number 8798 in the City of Massillon, County of Stark, Ohio. According to the present numbering of Lots in the said City. And recorded in Plat Record Volume 19, page 42 and 43 of the Stark County Record of Plats and being part of the "Chestnut Hill Estates".

TRACT # 3 :

Known as, and being Lot Number 8799 in the City of Massillon, County of Stark, Ohio. According to the present numbering of Lots in the said City, with EXCEPTION OF 25 feet, front and rear, off the entire east side of said lot. Said lot also being part of "Chestnut Hill Estates" as Recorded in Plat Record Volume 19, page 42 and 43 of the said Stark County Record of Plats.

Surveyed by;

Orville R. DeBos, Jr.
Orville R. DeBos, Jr.
Reg. Surveyor #5823

The Basis of the Bearing was taken from Deed Volume 1793, page 177 of the Stark County Deed of Records, and a survey of H. Piper dated 8/28/48 of Out Lot 349 and also Plat Book 19, page 42 and 43 of Chestnut Hill Estates on file at the Stark County Record of Plats.

155413

RECEIVED FOR RECORD	
OCT 13 1948	
at 2:05	o'clock P. M.
RECORDED OCT 14 1948	
in Stark County Records	
Vol. 1793	Page 177
J. J. NEWCOMER,	
Recorder 190	

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That THE CHARITY SCHOOL OF KENDAL, an Ohio Corporation, the Grantor, for the consideration of ONE DOLLAR (\$1.00) AND OTHER GOOD AND VALUABLE CONSIDERATIONS received to its full satisfaction of WANDA L. KIRCHHOFFER, 1204 Lennox Avenue, N.E., Massillon, Ohio, the Grantee, the receipt of which is hereby acknowledged, has bargained and sold and by these presents does hereby give, grant, bargain, sell and convey to the said Grantee, her heirs and assigns forever, the following described premises:

Situated in the City of Massillon, County of Stark and State of Ohio, and known as and being a part of Outlot Number THREE HUNDRED AND FORTY-NINE (349) according to the present numbering of the lots in said City, and being more fully described as follows:

Beginning at a stone monument at the northwest corner of Lot Number 8798, said point being the true place of beginning of the tract herein to be conveyed; thence South $33^{\circ} 02'$ East 233.73 feet to an iron pin at the southwest corner of Lot Number 8798, said point being on the north line of Lennox Avenue, N.E.; thence westerly along the north line of Lennox Avenue extended 155.6 feet to the P.T. of a curve, said curve having a central angle of $42^{\circ} 50'$, a tangent distance of 160.8 feet, and a radius of 440.0 feet; thence South $62^{\circ} 04'$ West along the tangent extended 6.4 feet to an iron pin; thence North $33^{\circ} 02'$ West 38.5 feet to an iron pin at the P.C. of a curve having a central angle of $26^{\circ} 43'$, a tangent distance of 100.0 feet, and a radius of 446.0 feet; thence following said curve northwesterly a distance of 161.5 feet to an iron pin; thence 189.9 feet to the place of beginning, containing 0.80 of an acre, more or less, but subject, however, to the following conditions and restrictions:

- (1) Said premises shall be used for residence purposes only and but one dwelling house, one private garage, and one greenhouse or conservatory may be erected on said premises, and such dwelling house shall be designed and constructed for the use of a single family, and such garage and greenhouse or conservatory shall be designed and constructed for the sole use of the owner of said lot and is not to be used for any commercial purposes whatsoever.
- (2) Said lot shall not be subdivided and shall not be sold except as a whole.
- (3) No nuisance shall be maintained, permitted, suffered, constructed or operated on said lot, and anything herein prohibited shall be deemed a nuisance.
- (4) No garbage, offal, manure, refuse or waste matter shall be permitted to remain on said premises, and no stable, chicken coop, vault or cess-pool be constructed or maintained thereon, and no hogs, cattle, horses or other livestock, except dogs and other small animals when kept as household pets, shall be kept or harbored on the premises; no fences of wood, iron or other material, shall be erected on that part of any lot lying nearer the street line than the rear line of the dwelling house; no fence of boards, wire or other material, on the remainder of said lot shall be erected to a height of more than six (6) feet and such fence shall be of neat design and must be kept neat and in good repair.

* and on curve to the left whose radius is 440'

Piper, Turkey

"Dead checked for tract description only"
Date 10-13-48
STARK COUNTY ENGINEER
By [Signature]

ENTERED FOR TRANSFER
OCT 13 1948
JOE YODIER
AUDITOR STARK COUNTY
[Signature]

It has been noted that the lot is not to be used for any commercial purposes whatsoever.

- (6) The front line of any dwelling house constructed thereon, exclusive of porches, shall be not less than forty (40) feet from the front line of said lot, the same being on the North line of Lennox Avenue, N.E.

TO HAVE AND TO HOLD said premises, together with the privileges and appurtenances thereto belonging, unto the said Wanda L. Kirchhofer, her heirs and assigns forever, subject, however, to the covenants, agreements, easements, restrictions, provisions and conditions above set forth.

And said The Charity School of Kendal, the said Grantor, does for itself and its successors and assigns, covenant with the said Grantee, her heirs and assigns, that at and until the ensealing of these presents, it is well seized of the above described premises, as a good and indefeasible estate in fee simple, and has good right to bargain and sell the same in manner and form as above written, and that the same are free from all incumbrances whatsoever, except as to the covenants, agreements, easements, restrictions, provisions, and conditions above set forth and the taxes and assessments due and payable in June 1949 and thereafter, which the Grantee herein assumes and agrees to pay, and that it will warrant and defend said premises, with the appurtenances thereunto belonging, to the said Grantee, her heirs and assigns, against all lawful claims and demands whatsoever, except as above noted.

IN WITNESS WHEREOF, said THE CHARITY SCHOOL OF KENDAL has caused its name to be subscribed by Horatio W. Wales, its President, and its corporate seal to be hereto affixed, and attested by Fred W. Gates, its Secretary, duly authorized by resolution of its Board of Directors, this 28th day of September, A.D. 1948.

Signed and acknowledged in
the presence of:

Irene M. K. Wales
H. E. Smith Penniman

THE CHARITY SCHOOL OF KENDAL

BY Horatio W. Waller
President

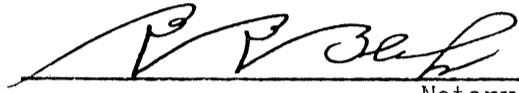
ATTEST John W. Waller
Secretary

STATE OF OHIO,)
) SS:
STARK COUNTY,)

1793 179

Before me, a Notary Public in and for said County and State, personally appeared the above named THE CHARITY SCHOOL OF KENDAL, by Horatio W. Wales, its President, and Fred W. Gates, its Secretary, who acknowledged the execution of the foregoing instrument to be the voluntary act and deed of said The Charity School of Kendal, and of themselves as its President and Secretary, respectively.

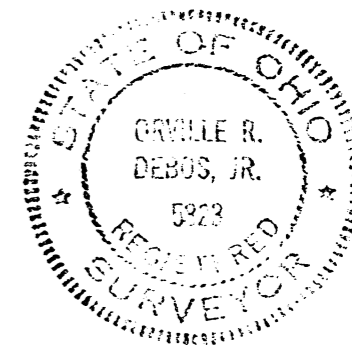
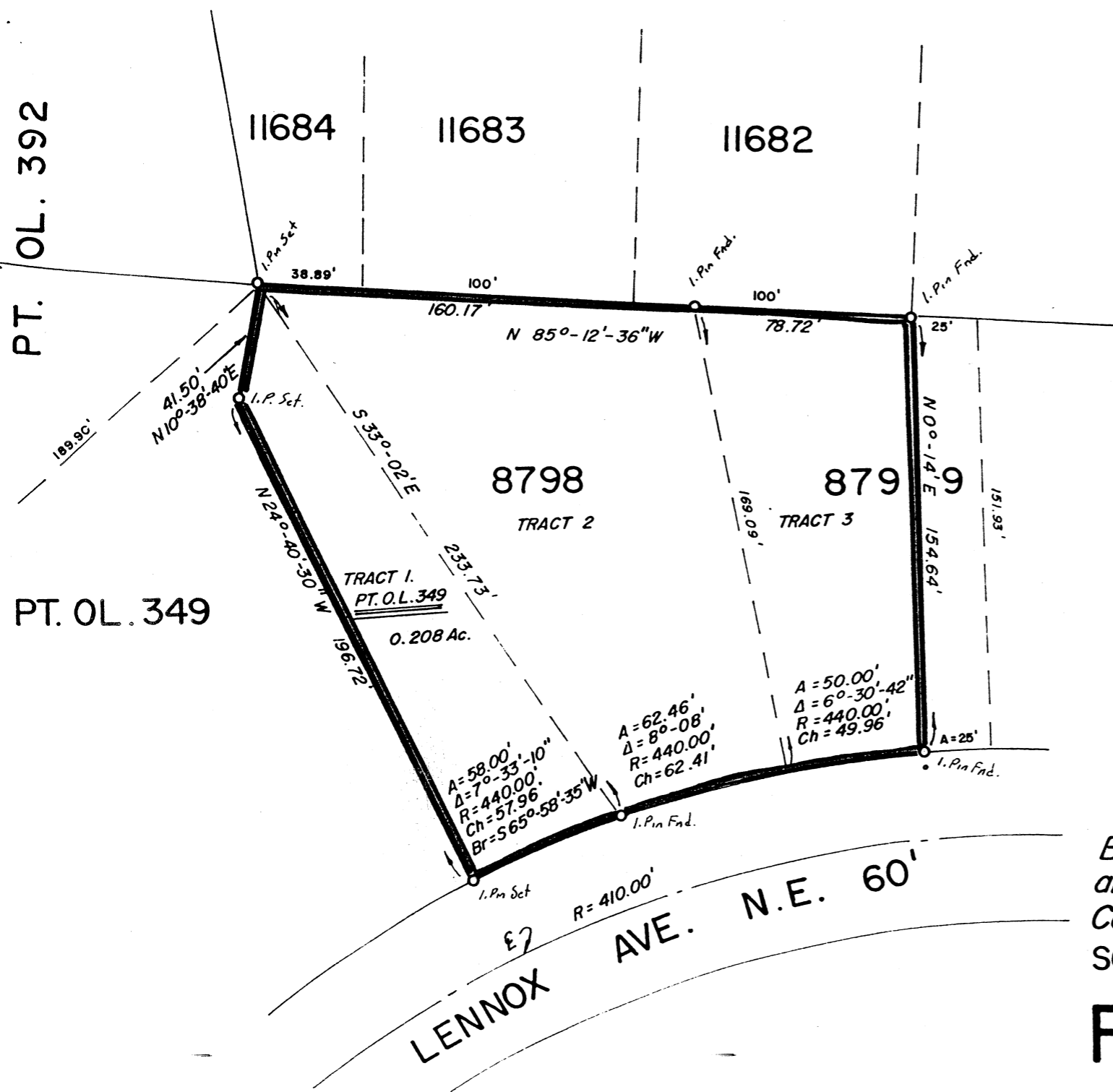
IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal at Massillon, Ohio, this 1st day of October, A.D. 1948.


Notary Public.

B. B. BECK, Notary Public
Massillon, Stark County, Ohio
My Commission Expires March 21, 1951

(Title was acquired to said premises under deed recorded in Volume 1084, Page 4 of the Deed Records of Stark County, Ohio.)





PROPERTY MAP

Being Lot Number 8798, Part of Lot Number 8799,
and Part of Out Lot 349, in the City of Massillon,
County of Stark, Ohio.

SCALE: 1" = 50'

DATE: JAN. 17, 1984

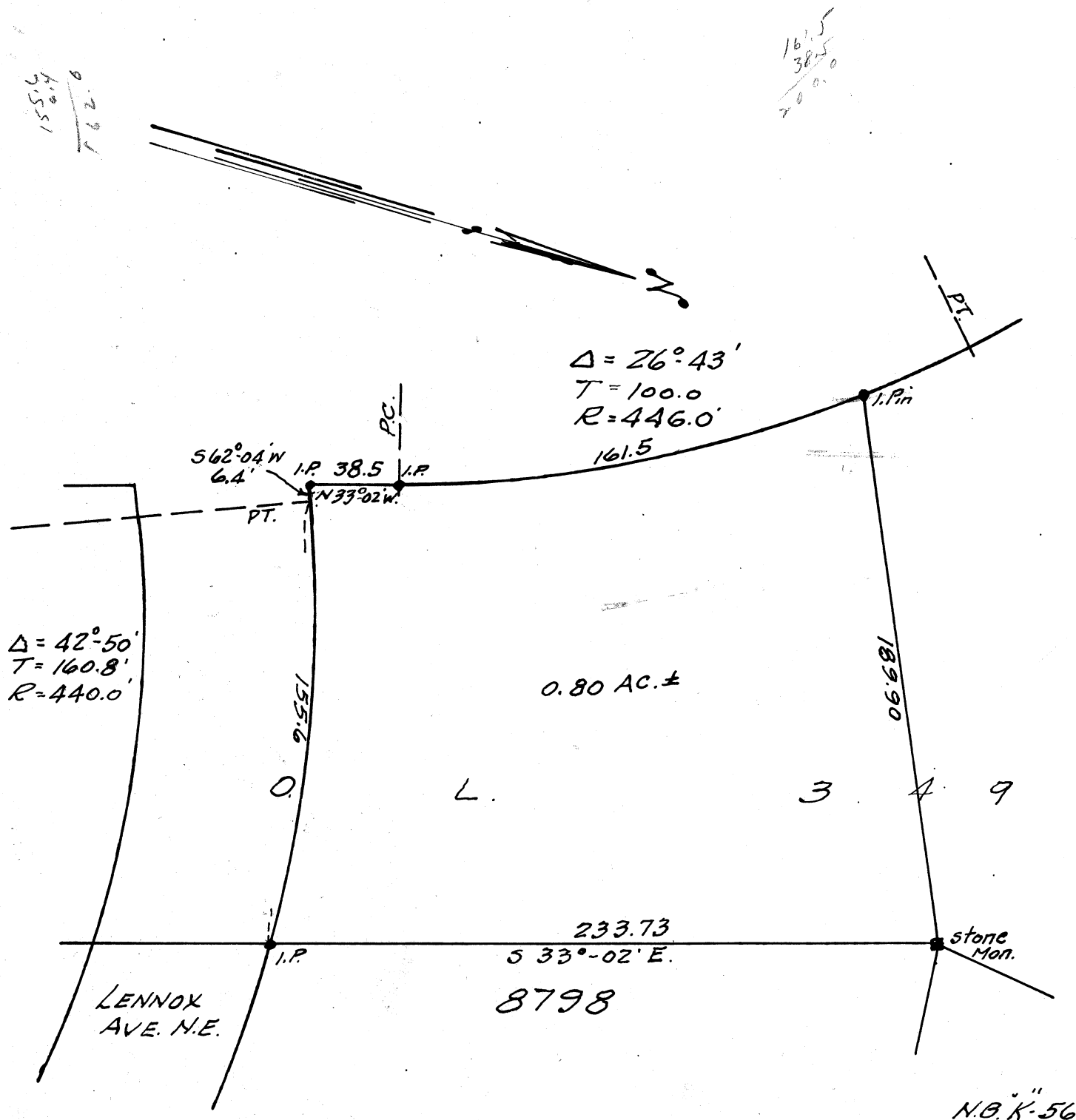
FOR: KIRCHHOFER

Grville R. Debos, Jr.

SURVEY OF PT. O.L. 349
Massillon, O.

FOR M. P. L. Kirchhofer
8-28-48

By H.M. Piper - Reg. Engr. & Surveyor
Scale: 1" = 50 ft.



Gurriere Survey - 2.239 Ac. - Deed Vol. 3828, Pg. 28

PT. O. L. 392

Lands of H. Hensel

PT. O.L. 392

0.572 Ac. this Survey - Pt. O.L. 392
+ 0.641 Ac. this Survey - Pt. O.L. 349
1.213 Ac. to be Conveyed

PT. O.L. 349

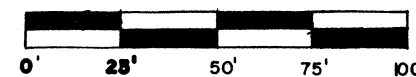
Deed Vol. 1793, Pg. 177
0.80 Ac.
Piper Survey
Lands of W. Kirchhofer

Note: Non Tangent Curve
By Deed Tan = 100' on
O.L. 349 & Plat 105.90'
Pins found and used check
with orig. survey notes.

MAP OF SURVEY

Being part of Out Lot 392 and part of Out Lot 349 in the City of
Massillon, County of Stark, Ohio.

SCALE: 1" = 50'

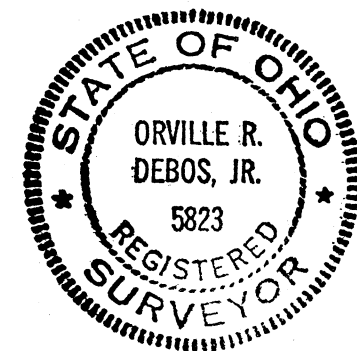


FOR: KIRCHHOFER

The Basis of the Bearing taken from Deed Vol. 1793, Pg. 177 and Piper
Survey dated Aug 8, 1948

DATE: JAN. 3, 1984

Orville R. DeBos, Jr.
Orville R. DeBos, Jr.
Reg Surveyor # 5823





1006

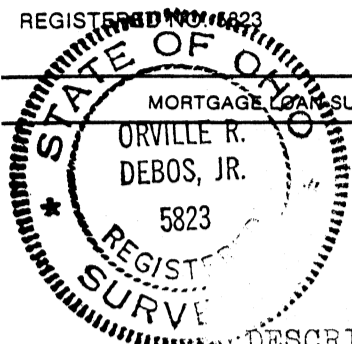
ORVILLE R. DE BOS & ASSOCIATES
REGISTERED PROFESSIONAL LAND SURVEYOR

14137 ORRVILLE ST. N.W.
NORTH LAWRENCE, OHIO 44666



REGISTERED NO. 5823

PHONE 837-2678 & 832-9970



MORTGAGE LOAN SURVEYS

TOPOGRAPHIC SURVEYS

MAPPING

LOT SURVEYS

FARM SURVEYS

Dec. 22, 1983

DESCRIPTION OF PART OF OUT LOT 392 AND PART OF OUT LOT
349 IN THE CITY OF MASSILLON, OHIO, FOR KIRCHHOFFER.

Known as, and being a part of Out Lot 392, and also a part of Out Lot 349 in the City of Massillon, County of Stark, Ohio. According to the present numbering of Out Lots in the said City. And being more fully described as follows:

Beginning at an iron pin set marking the northwest corner of Lot Number 8798 in said City according to the present numbering of lots; said pin being the true place of beginning of the tract herein described; thence S $10^{\circ}-38'-40''$ W, for a distance of 41.50' to an iron pin set; thence S $24^{\circ}-40'-30''$ E, for a distance 196.72' to an iron pin set on the north line of Lennox Ave. N. E., (a 60 foot street); thence in a southwesterly direction and along the said north line of said Lennox Ave. N.E., and along a curve to the left, an arc length of 97.60' to the P.T. of said curve, said curve having a radius of 440.00', a central angle of $12^{\circ}-42'-33''$, a chord of 97.01', that bears S $59^{\circ}-56'-40''$ W; thence S $52^{\circ}-04'$ W and along the said north line of said Lennox Ave. N.E. a distance of 6.40' to an iron pin found marking the southwest corner of a 0.80 acre tract of land now owned by W. Kirchhoffer as recorded in Deed Volume 1793, page 177 of the Stark County Deed of records, and said tract being part of Out Lot 349; thence N $33^{\circ}-02'$ W and along the west line of the said 0.80 acre tract a distance of 38.50' to an iron pin found marking the P.C. of a curve to the left; thence in a northwesterly direction and along the said curve an arc length of 159.49' to an iron pin found; said curve being non-tangent, having a central angle of $20^{\circ}-29'-40''$, a radius of 446', a chord of 158.68' that bears N $43^{\circ}-04'-50''$ W, said pin marking the northwest corner of the said 0.80 acre tract; thence in a northwesterly direction and along the said curve, and along the north line of Lot Number 11134 in said City an arc length of 46.49' to the P.T. of the said curve, said segment having a central angle $5^{\circ}-58'-20''$, a radius of 446', a chord of 46.48' that bears N $56^{\circ}-53'$ W; thence N $59^{\circ}-45'$ W and along the said north line of said Lot Number 11134 a distance of 44.40' to an iron pin found marking the northwest corner of said Lot 11134; thence N $42^{\circ}-26'-50''$ W and along the east line of Out Lot 391 in said City a distance of 155.94' to a point marking the southwest corner of a 2.239 acre tract of land and being part of Out Lot 392, now owned by H. Hensel as recorded in Deed Volume 3828, page 28 of the said Deed of Records; thence S $83^{\circ}-11'-50''$ E, and along the south line of the said Hensel tract a distance of 328.77' to the true place of beginning. Containing 1.213 acre of land more or less of which 0.572 acres of land is in Out Lot 392 and 0.641 acres is in Out Lot 349.

Surveyed by;

Orville R. DeBos, Jr.
Orville R. DeBos, Jr.
Reg. Surveyor #5823

The Basis of the Bearing was taken from Deed Volume 1793, page 177 of the Stark County Deed of Records and a Survey by H. Piper dated 8/28/48 and also surrounding allotment plats were used.